

Section 4.05(a) - Sample Provision Excerpt (Public Preview)

(P) Antennas. No exterior antennas, aerials, satellite dishes or other apparatus for the transmission of television, radio, satellite or other signals of any kind shall be placed, allowed or maintained upon any portion of the Condominium, except that (i) antennas or satellite dishes designed to receive video programming services via multi-point distribution...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 4.05(a) (p. 11): Clause authorizes foreclosure of an HOA lien consisting of fines or fine-related attorney fees in direct violation of Tex. Prop. Code § 209.009.

Statutory / Legal Reference: Tex. Prop. Code § 209.009 & 209.0092

Statutory Comparison: The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000, as expanded by the 2021 OTARD Report and Order, FCC 21-10) preempts community association restrictions that prohibit, charge application fees for, require prior architectural approval for, or impose sub-1-meter (39.37-inch) diameter caps on the installation, maintenance, or use of television broadcast antennas, direct-broadcast...

CURRENT WORDING IN DOCUMENT:

(P) Antennas. No exterior antennas, aerials, satellite dishes or other apparatus for the transmission of television, radio, satellite or other signals of any kind shall be placed, allowed or maintained upon any portion of the Condominium, except that (i) antennas or satellite dishes designed to receive video programming services via multi-point distribution...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

(P) Antennas. No exterior antennas, aerials, satellite dishes or other apparatus for the transmission of television, radio, satellite or other signals of any kind shall be placed, allowed or maintained upon any portion of the Condominium, except that (i) antennas or satellite dishes designed to receive video programming services via multi-point distribution services which are one CONDOMINIUM...